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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION TWO

THE PEOPLE,

Plaintiff and Respondent,

v.

EDWARD PATRICK VALENZUELA,
JR.,

Defendant and Appellant.

E058555

(Super.Ct.No. SWF1208121)

OPINION

APPEAL from the Superior Court of Riverside County. Timothy F. Freer, Judge.

Affirmed.

David K. Rankin, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

INTRODUCTION

On March 6, 2013, defendant and appellant Edward Patrick Valenzuela, Jr., pled guilty to residential burglary under Penal Code¹ section 459 and admitted personal use of a shotgun under section 12022.5, subdivision (a). The plea agreement included a stipulated sentence of 12 years in state prison and a dismissal of the balance of the complaint, filed on December 5, 2012.

On March 8, 2013, the trial court sentenced defendant to state prison for 12 years: two years for the burglary conviction and 10 years for the gun-use enhancement. Defendant received 111 days of presentence custody credits. The trial court imposed restitution and parole revocation fines of \$280 each, but suspended the parole revocation fine.

On April 26, 2013, defendant filed a timely notice of appeal, challenging the sentence or other matters occurring after the plea.

STATEMENT OF FACTS

As a factual basis for the plea, defendant answered, “Yes,” in response to the trial court’s question: “Did you go into a house . . . with the intent to either commit a theft or with the intent to commit a felony?” Defendant also answered, “Yes,” when asked whether he entered the house armed with a shotgun.

¹ All further statutory references are to the Penal Code unless otherwise indicated.

ANALYSIS

After defendant appealed, and upon his request, this court appointed counsel to represent him. Counsel has filed a brief under the authority of *People v. Wende* (1979) 25 Cal.3d 436 and *Anders v. California* (1967) 386 U.S. 738, setting forth a statement of the case, a summary of the facts and potential arguable issues, and requesting this court to undertake a review of the entire record.

We offered defendant an opportunity to file a personal supplemental brief, but he has not done so. Pursuant to the mandate of *People v. Kelly* (2006) 40 Cal.4th 106, we have conducted an independent review of the record and find no arguable issues.

DISPOSITION

The judgment is affirmed.

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RICHLI
J.

We concur:

HOLLENHORST
Acting P. J.

McKINSTER
J.